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16 Attorneys for Plaintiffs

17 **UNITED STATES DISTRICT COURT**
18 **NORTHERN DISTRICT OF CALIFORNIA**

19 PATRICIA DESANTIS, individually and as) Case No. C07 3386

20 Successor in Interest for RICHARD)

21 DESANTIS, deceased, and as Guardian Ad)

22 Litem for DANI DESANTIS, a minor and)

23 TIMOTHY FARRELL, a minor,)

24 Plaintiffs,)

25 v.)

26 CITY OF SANTA ROSA, JERRY)
27 SOARES, RICH CELLI, TRAVIS MENKE,)
28 PATRICIA MANN and DOES 1 through)
29 25, inclusive,)

30 Defendants.)

31 **DECLARATION OF PATRICIA**
32 **DESGANTIS RE COMMENCEMENT OF**
33 **ACTION BY SUCCESSOR IN INTEREST**

34 [C.C.P. § 377.32]

35 I, Patricia DeSantis, declare as follows:

36 1. The decedent, Richard DeSantis, was my husband at the time of his death. A true and
37 correct copy of our marriage certificate is attached hereto as **Exhibit A**. He was shot and killed by
38 police officers outside of our home in Santa Rosa, California during the early morning hours of April

1 9, 2007.

2 2. No proceeding is now pending in California for administration of the decedent's
3 estate.

4 3. I am the decedent's successor in interest as defined by California Code of Civil
5 Procedure § 377.11 because I am the beneficiary of the decedent's estate as defined by California
6 Code of Civil Procedure § 377.10(b).

7 4. No other person has a superior right to bring this action or to be substituted for the
8 decedent in the pending action.

9 I declare under the penalty of perjury under the laws of the state of California that the
10 foregoing is true and correct. Executed on this ____ day of August, 2007.

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By:

14 Patricia DeSantis

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19. 9. 2007.

2. No proceeding is now pending in California for administration of the decedent's estate.

5. I am the decedent's successor in interest as defined by California Code of Civil
6. Procedure § 3.7(1) because I am the beneficiary of the decedent's estate as defined by California
7. Code of Civil Procedure § 1771.0(b).

4. No other person has a superior right to bring this action or to be substituted for the decedent in the pending action.

I declare under the penalty of perjury under the laws of the state of California that the foregoing is true and correct. Executed on this 22nd day of August, 2007.

Patricia DeSantis